

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAWARIMEDIA LLC, *et al.*,

Plaintiffs,

Case No. 20-cv-11246
Hon. Matthew F. Leitman

v.

GRETCHEN WHITMER, *et al.*,

Defendants.

/

ORDER ON STATUS CONFERENCE

On June 11, 2020, this Court entered a preliminary injunction enjoining Defendants “from excluding Plaintiffs’ ballot initiative from the 2020 general election ballot on the basis that Plaintiffs did not collect 340,047 valid signatures by the May 27, 2020, filing deadline.” (Op. and Order, ECF No. 17, PageID.255.) The Court then directed Defendants to “select [their] own adjustments so as to reduce the burden on ballot access, narrow the restrictions to align with [their] interest, and thereby render the application of the [signature requirement and filing deadline] constitutional under the circumstances.” (*Id.*, PageID.256, quoting *Esshaki v. Whitmer*, --- F. App’x ---, 2020 WL 2185553, at *2 (6th Cir. May 5, 2020).)

Defendants filed a Notice of Proposed Remedy on June 15, 2020. (*See* Notice, ECF No. 18.) The Court held a status conference on June 16, 2020, to discuss the proposed remedy. For the reasons stated on the record during the status conference,

the Court concludes that the remedy offered by Defendants – while proposed in good faith – contravenes the terms of the Court’s injunction. In violation of the injunction, the proposed remedy continues to exclude the Plaintiffs’ ballot proposal from the 2020 general election ballot on the basis that Plaintiffs did not collect 340,047 valid signatures by May 27, 2020. Accordingly, Defendants’ proposed remedy is **REJECTED**.

Defendants shall file a new proposed remedy with the Court by no later than **Thursday, June 18, 2020, at 5:00 p.m.** Plaintiffs shall file any objections they may have to the new proposed remedy by no later than **Friday, June 19, 2020, at 5:00 p.m.** The Court will hold an on-the-record status conference to discuss the new proposed remedy, and any objections that may be filed, on **Monday, June 22, 2020 at 4:00 p.m.**

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 16, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 16, 2020, by electronic means and/or ordinary mail.

s/ Holly A. Monda

Case Manager
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